1999 DRAFTING REQUEST

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Received: 03/24/99 Wanted: As time permits For: Richard Grobschmidt (608) 266-7505			Received By: kahlepj					
			Identical to LRB: By/Representing: John Sumi					
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May Co	ontact:							
Subject	: Insura	nce - health			Extra Copies:			
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Topic:								
Require	insurance cov	erage of certain	specified im	munizations				
Instruc	etions:							
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Draftin	ng History:						.	
Vers.	Drafted	Reviewed	Typed	Proofed	Submitted	<u>Jacketed</u>	Required	
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1999 DRAFTING REQUEST

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Received: 03/24/99				Received By: kahlepj Identical to LRB:				
Wanted: As time permits								
For: Ri o	chard Grobsc	hmidt (608) 26	66-7505		By/Representing: John Sumi Drafter: kahlepj Alt. Drafters:			
This file	e may be show	n to any legislat	tor: NO					
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Subject	Insura	nce - health			Extra Copies:			
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Require	insurance cov	erage of certain	specified im	munizations				
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1999 DRAFTING REQUEST

Bill

Received: 03/24/99	Received By: kahlepj		
Wanted: As time permits	Identical to LRB:		
For: Richard Grobschmidt (608) 266-7505	By/Representing: John Sumi		
This file may be shown to any legislator: NO	Drafter: kahlepj		
May Contact:	Alt. Drafters:		
Subject: Insurance - health	Extra Copies:		
Pre Topic: No specific pre topic given	· .		
Topic:			
Require insurance coverage of certain specified immunizations	· .		
Instructions:			
See Attached			

Drafting History:

Vers.

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kahlepj

Reviewed

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STATE OF WISCONSIN – **LEGISLATIVE REFERENCE BUREAU** – LEGAL SECTION (608–266–3561)

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John Sumi Sen. Grobschmidt
redraft 97 SB 206 as amended by SA1,2+3 and AA1
m and by SA1,2+3
a AAI
LDD'.
LRB's:
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State of Misconsin 1997-1998 LEGISLATURE

2596/ LRB-**2717#1** PJK:kaf:arm

by preferred provide plans that are not managed care



1999 BILL

1997 SENATE BILL 206

May 13, 1997 – Introduced by Senators Plache, Moen, Clausing, Wineke, Rude, Breske and Rosenzweig, cosponsored by Representatives Huebsch, Handrick, Kelso, Hanson, Musser, R. Young, Seratti, Cullen, Turner, Black, Baumgart, Bock, La Fave, Gronemus, Morris-Tatum, Staskunas, Notestein, Wasserman, Coggs, Murat, J. Lehman, Plouff, Hasenohri and Baldwin. Referred to Committee on Health, Human Services, Aging, Corrections, Veterans and Military Affairs.

Sugaronde

AN ACT to amend 40.51 (8), 40.51 (8m), 60.23 (25), 66.184, 120.13 (2) (g), 185.981

(4t) and 185.983 (1) (intro.); and *to create* 111.91 (2) (n) and 632.895 (11) of the

statutes; relating to: requiring insurance coverage of certain immunizations

for children.

>managed care plans,

Generally,

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Analysis by the Legislative Reference Bureau

This bill requires every health insurance policy (called "disability insurance policy" in the statutes), including health care plans offered by bealth maintenance plans of the state or a county, city, town, village or school district, to provide coverage of appropriate and necessary immunizations, specified in the bill, from birth to age for a dependent child of the insured if the policy or plan covers a dependent of the insured. (Under current law, health insurance policies are required to cover a newly born child of the insured, even if the policy did not provide coverage for dependents at the time of the birth.) Coverage of the specified immunizations may not be subject to any deductibles, coinsurance or copayments under the policy or plan. Specifically excluded from this coverage requirement are health insurance policies that cover only certain specified diseases, health care plans offered by limited service health organizations, medicare replacement or supplement policies and long—term care insurance policies.

only hospital and surgical charges or

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For further information see the **state and local** fiscal estimate, which will be printed as an appendix to this bill.

The p	eople of the state of W	isconsin, r	represented in	senate and	assembly,	do
	nàct as follows:				AND THE REAL PROPERTY.	

SECTION 1. 40.51 (8) of the statutes, as affected by 1995 Wisconsin Act 289, is amended to read:

40.51 (8) Every health care coverage plan offered by the state under sub. (6) shall comply with ss. 631.89, 631.90, 631.93 (2), 632.72 (2), 632.745 (1) to (3) and (5), 632.747, 632.87 (3) to (5), 632.895 (5m) and (8) to (10) (11) and 632.896.

SECTION 2. 40.51 (8m) of the statutes as created by 1995 Wisconsin Act 289, is amended to read:

40.51 (8m) Every health care coverage plan offered by the group insurance board under sub. (7) shall comply with ss. 682.745 (1) to (3) and (5) and, 632.747 and 632.895 (11).

SECTION 3. 60.23 (25) of the statutes, as affected by 1995 Wisconsin Act 289, is amended to read:

60.23 (25) SELF-INSURED HEALTH PLANS. Provide health care benefits to its officers and employes on a self-insured basis if the self-insured plan complies with ss. 631.89, 631.90, 631.93 (2), 632.745 (2), (3) and (5) (a) 2. and (b) 2., 632.747 (3), 632.87 (4) and (5), 632.895 (9) and (11) and 632.896.

SECTION 4. 66.184 of the statutes, as affected by 1995 Wisconsin Act 289, is amended to read:

66.184 Self-insured health plans. If a city, including a 1st class city, or a village provides health care benefits under its home rule power, or if a town provides health care benefits, to its officers and employes on a self-insured basis, the

1	self-insured plan shall comply with ss. 49.493 (3) (d), 631.89, 631.90, 631.93 (2),
2	$632.745(2), (3) and (5)(a) 2. and (b) 2., \\ 632.747(3), 632.87(4) and (5), 632.895(9) and (6), 632.895(9$
3	(10) to (11), 632.896, 767.25 (4m) (d) and 767.51 (3m) (d).
4	SECTION 5. 111.91 (2) (n) of the statutes is created to read:
5	111.91 (2) (n) The provision to employes of the health insurance coverage
6	required under s. 632.895 (11).
7	SECTION 6. 120.13 (2) (g) of the statutes, as affected by 1995 Wisconsin Act 289,
8	is amended to read:
9	120.13 (2) (g) Every self-insured plan under par. (b) shall comply with ss.
10	49.493 (3) (d), 631.89, 631.90, 631.93 (2), 632.745 (2), (3) and (5) (a) 2. and (b) 2.,
11	632.747 (3), 632.87 (4) and (5), 632.895 (9) and (10) to (11), 632.896, 767.25 (4m) (d)
12	and 767.51 (3m) (d).
13	SECTION 7. 185.981 (4t) of the statutes, as affected by 1995 Wisconsin Act 289,
14	is amended to read:
15	185.981 (4t) A sickness care plan operated by a cooperative association is
16	subject to ss. 252.14, 631,89, 632.72 (2), 632.745, 632.747, 632.749, 632.87 (2m), (3),
17	(4) and (5), 632.895 (10) and (11) and 632.897 (10) and ch. 155.
18	SECTION 8. 185.983 (1) (intro.) of the statutes, as affected by 1995 Wisconsin Act
19	289, is amended to read:
20	185.983 (1) (intro.) Every such voluntary nonprofit sickness care plan shall be
21	exempt from chs. 600 to 646, with the exception of ss. 601.04, 601.13, 601.31, 601.41,
22	601.42, 601.43, 601.44, 601.45, 611.67, 619.04, 628.34 (10), 631.89, 631.93, 632.72
23	(2), 632.745, 632.747, 632.749, 632.775, 632.79, 632.795, 632.87 (2m), (3), (4) and (5),
24	632.895 (5), (9) and (10) and (9) to (11), 632.896 and 632.897 (10), subch. II of ch. 619
2 5	and chs. 609, 630, 635, 645 and 646, but the sponsoring association shall:
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For further information see the **state and local** fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 40.51 (8) of the statutes is amended to read: 1 40.51 (8) Every health care coverage plan offered by the state under sub. (6) 2 shall comply with ss. 631.89, 631.90, 631.93 (2), 632.72 (2), 632.746 (1) to (8) and (10), 3 632.747, 632.748, 632.85, 632.853, 632.855, 632.87 (3) to (5), 632.895 (5m) and (8) to 4 (13) (14) and 632.896. 5 SECTION 2. 40.51 (8m) of the statutes is amended to read: 6 40.51 (8m) Every health care coverage plan offered by the group insurance 7 board under sub. (7) shall comply with ss. 632.746 (1) to (8) and (10), 632.747, 8 632.748, 632.85, 632.853, 632.855 and 632.895 (11) to (13) (14). 9 **SECTION 3.** 60.23 (25) of the statutes is amended to read: 10 60.23 (25) Self-insured health plans. Provide health care benefits to its 11 officers and employes on a self-insured basis if the self-insured plan complies with 12ss. 631.89, 631.90, 631.93 (2), 632.746 (10) (a) 2. and (b) 2., 632.747 (3), 632.85, 13 632.853, 632.855, 632.87 (4) and (5), 632.895 (9) and (11) to (13) (14) and 632.896. 14 **SECTION 4.** 66.184 of the statutes is amended to read: 15 66.184 Self-insured health plans. If a city, including a 1st class city, or a 16 village provides health care benefits under its home rule power, or if a town provides 17 health care benefits, to its officers and employes on a self-insured basis, the 18

self-insured plan shall comply with ss. 49.493 (3) (d), 631.89, 631.90, 631.93 (2),

 $632.746\,(10)\,(a)\,2.\,and\,(b)\,2.,\\ 632.747\,(3),\\ 632.85,\\ 632.853,\\ 632.855,\\ 632.87\,(4)\,and\,(5),\\$

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1 632.895 (9) to (13) (14), 632.896, 767.25 (4m) (d), 767.51 (3m) (d) and 767.62 (4) (b)

4.

SECTION 5. 111.91 (2) (n) of the statutes is amended to read:

111.91 (2) (n) The provision to employes of the health insurance coverage required under s. 632.895 (11) to (13) (14)

SECTION 6. 120.13 (2) (g) of the statutes is amended to read:

120.13 (2) (g) Every self-insured plan under par. (b) shall comply with ss. 49.493 (3) (d), 631.89, 631.90, 631.93 (2), 632.746 (10) (a) 2. and (b) 2., 632.747 (3), 632.85, 632.853, 632.855, 632.87 (4) and (5), 632.895 (9) to (13) (14), 632.896, 767.25 (4m) (d), 767.51 (3m) (d) and 767.62 (4) (b) 4.

SECTION 7. 185.981 (4t) of the statutes is amended to read:

185.981 (4t) A sickness care plan operated by a cooperative association is subject to ss. 252.14, 631.89, 632.72 (2), 632.745 to 632.749, 632.85, 632.853, 632.853, 632.87 (2m), (3), (4) and (5), 632.895 (10) to (13) (14) and 632.897 (10) and chs. 149 and 155.

SECTION 8. 185.983 (1) (intro.) of the statutes is amended to read:

185.983 (1) (intro.) Every such voluntary nonprofit sickness care plan shall be exempt from chs. 600 to 646, with the exception of ss. 601.04, 601.13, 601.31, 601.41, 601.42, 601.43, 601.44, 601.45, 611.67, 619.04, 628.34 (10), 631.89, 631.93, 632.72 (2), 632.745 to 632.749, 632.775, 632.79, 632.795, 632.85, 632.853, 632.855, 632.87 (2m), (3), (4) and (5), 632.895 (5) and (9) to (13) (14), 632.896 and 632.897 (10) and chs. 609, 630, 635, 645 and 646, but the sponsoring association shall:

SECTION 9. 609.75 of the statutes is created to read:

Managed care plans and presented provider plans are subject to s. 632.895 (14).

Bimmunizations

SECTION 9. 632.895 (41) of the statutes is created to read:

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632.895 (147) COVERAGE OF IMMUNIZATIONS. (a) In this subsection:

- 1. "Appropriate and necessary immunizations" means the administration of vaccine that meets the standards approved by the U.S. public health service for such biological products against at least all of the following:
 - a. Diphtheria.
- 7 b. Pertussis.
- c. Tetanus. 8
 - d. Polio.
 - e. Measles.
 - f. Mumps.
- Rubella. 12

Any other disease for which immunization is recommended by

bealth officer appointed under

2. "Dependent" has the meaning given in spilling

(b) Except as provided in par. (d), every disability insurance policy, and every self-insured health plan of the state or a county, city, town, village or school district, that provides coverage for a dependent of the insured shall provide coverage of appropriate and necessary immunizations, from birth to the age of 2 years, for a dependent who is a child of the insured.

(c) The coverage required under par. (b) may not be subject to any deductibles, copayments or coinsurance under the policy or plan. Succent 4-22

- (d) This subsection does not apply to any of the following:
- 1. A disability insurance policy that covers only certain specified diseases.

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1	34. A health care plan offered by a limited service health organization, as defined
$\overline{2}$	in s. 609.01 (3). Senset 5-2
(3)	A long-term care insurance policy, as defined in s. 600.03 (28g).
4	A medicare replacement policy, as defined in s. 600.03 (28p).
(5)	A medicare supplement policy, as defined in s. 600.03 (28r).
6	SECTION 10. Initial applicability.
7	(1) The treatment of sections 40.51 (8) and (8m), 60.23 (25), 66.184, 111.91 (2)
8	(a), 120.13(2) (g), 185.081 (4t), 185.983 (1) (intro.) and 632.895 (11) of the statutes
9	first applies to all of the following:
10	(a) Except as provided in paragraphs (b) and (c), disability insurance policies
11	that are issued or renewed, and self-insured health plans that are established,
12	extended, modified or renewed, on the effective date of this paragraph.
13	(b) Disability insurance policies covering employes who are affected by a
14	collective bargaining agreement containing provisions inconsistent with this act
15	that are issued or renewed on the earlier of the following:
16	1. The day on which the collective bargaining agreement expires.
17	2. The day on which the collective bargaining agreement is extended, modified
18	or renewed.
19	(c) Self-insured health plans covering employes who are affected by a
20	collective bargaining agreement containing provisions inconsistent with this act
21	that are established, extended, modified or renewed on the earlier of the following:
22	1. The day on which the collective bargaining agreement expires.
23	2. The day on which the collective bargaining agreement is extended, modified
24	or renewed.
25	Section 11. Effective date.

LRB-2717/1 PJK:kaf:arm SECTION 11

SENATE BILL 206

(1) This

(1) This act takes effect on the first day of the month beginning after publication.

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(END)



State of Misconsin 1997 - 1998 LEGISLATURE

DRBa0874/1 PJK:jlg:hmh

SENATE AMENDMENT 1, TO 1997 SENATE BILL 206

Inset 4-12

October 22, 1997 - Offered by Senator MOEN-

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1	At the locations indicated, amend the bill as follows: 1. Page 4, line 12: after that line insert:
3 4	h. Hemophilus influenza B.
5	2. Page 4, line 19. substitute "j." for "h.". (END)

SUBCHAPTER I

GENERAL PROVISIONS 635.01 Scope. 635.02 Definitions. 635.05 Rate regulation. 635.07 Contract termination and renewability. 635.09 Prohibited denial of coverage. Disclosure of rating factors and renewability provisions.

635.11 635.13 Annual certification of compliance

635.15 Temporary suspension of rate regulation.

635.17 Coverage requirements for small employer plans.

635.18 Fair marketing standards.

Cross-references: See definitions in ss. 600.03 and 628.02.

SUBCHAPTER I

GENERAL PROVISIONS

Scope. This subchapter applies to all group health 635.01 insurance plans, policies or certificates, written on risks or operations in this state, providing coverage for employes of a small employer, or employes of a small employer and the employer, and to individual health insurance policies/written on risks or operations in this state, providing coverage for employes of a small employer, or employes of a small employer and the employer when 3 or more are sold to a small employer.

History: 1991 a. 39.

635.02 Definitions. In this subchapter:

(1) "Base premium rate"/ means the lowest premium rate chargeable under a rating system to small employers with similar case characteristics and the same or similar benefit design characteristics in the same class of business.

(1c) "Basic health benefit plan" means the small employer

health insurance plan under subth. II.

(1m) "Benefit design characteristics" means covered services, cost sharing, atilization management, managed care networks and other features that differentiate plan or coverage designs.

(2) "Case characteristics" means the demographic actuarially based characteristics of the employes of a small employer, and the employer, if govered, such as age, sex, geographic location and occupation, used by a small employer insurer to determine premium rates for a small employer. "Case characteristics" does not include loss or claim history, health status, duration of coverage or other factors related to claim experience.

(3) "Class of business" means all or a distinct grouping of small employers determined in accordance with rules promul-

gated/by the commissioner under s. 635.05

(3c) "Dependent' means a spouse, an unmarried child under the age of 19 years, an unmarried child who is a full-time student under the age of 21 years and who is financially dependent upon the parent, or an unmarried child of any age who is medically certified as disabled and who is dependent upon the parent.

(31) "Eligible employe" means an employe who works on a full-time basis and has a normal work week of 30 or more hours. The term includes a sole proprietor, a business owner, including the owner of a farm business, a partner of a partnership, a member of a limited liability company and an independent contractor if the sole proprietor, business owner, partner, member or independent contractor is included as an employe under a health benefit plan

SUBCHAPTER II

SMALL EMPLOYER HEALTH INSURANCE PLAN 635.20 Definitions. 635.21 Establishment of plan. 635.23 Duties of plan board. Eligibility for participation in plan. 635.254 Employer premium contribution. 635.26 Guaranteed issue 635.272 Payments to health care providers.

635.28 Liability of state and plan board. 635.29 Exemption from required coverage.

Chapters 600 to 655 applicable. 635.31

of a small employer, but the term does not include an em works on a part-time, temporary or substitute basis.

(3) "Established geographic service area" mean graphic area within which a small employer insurer pro erage and that has been approved by the commissione

(3m) "Health benefit plan" means any hospital c policy or certificate. "Health benefit plan" does no accident—only credit, dental, vision, medicare supplem term care, or disability income insurance, coverage is supplement to liability insurance/worker's compensation lar insurance, automobile medical payment insurance insurance exempted by rule of/the commissioner.

(4m) "Midpoint rate" means the arithmetic avera base premium rate and the corresponding highest pren

(5) "New business premium rate" means the precharged or offered to small employers with similar case istics in the same class of business for newly issued he ance with the same or similar benefit design characteri

(5m) (a) "Qualifying coverage" means benefits or provided under any of the following:

1. Medicare or medicaid

2. An employer/based health insurance or heal arrangement that provides benefits similar to or exceed fits provided under a basic health benefit plan.

3. An individual health insurance policy that prove fits similar to or exceeding benefits provided under a ba benefit plan, if the policy has been in effect for at least

(b) Notwiths anding par. (a) 2. and 3., "qualifying" does not include a high cost-share health plan, as del 632,898 (1) (c), that is linked to a medical savings a described in s/632.898, if any of the following applies

1. The health benefit plan that is the individual's n age and the health benefit plan that is the individual's coverage are provided by the same small employer.

2. The health benefit plan that is the individual's n age is profided by a small employer that is not the same that provided the health benefit plan that was the individ vious coverage, the small employer that provides the in new coverage offers its eligible employes a choice of he fit play options that includes a high cost-share healt defined in s. 632.898 (1) (c), and the individual's new co not a/high cost-share health plan.

NOTE: Sub. (5m) is repealed eff. 5-1-97 by 1995 Wis. Act 289.

(6) "Rating period" means the period, determined t employer insurer, during which a premium rate establish sthall employer insurer remains in effect.

(6m) "Restricted network provision" means a prov health benefit plan that conditions the payment of be whole or in part, on obtaining services or articles from h

(and of ms 4-15)



State of Misconsin 1997 - 1998 LEGISLAPURE

LRBa0854/1 PJK:kaf:ijs

Susat 4-22

SENATE AMENDMENT 2,

TO 1997 SENATE BILL 206

October 22, 1997 - Offered by Senator Moen.

At the locations indicated, amend the bill as follows:

1. Page 4, line 22: after "plan." insert This paragraph applies to a health maintenance organization, as defined in s. 609.01 (1), and preferred provider plan at defined in s. 609.01 (1), and preferred provider plan immunizations provided by selected providers as defined in s. 609.01 (1), of the health maintenance organization or preferred providers as defined in s. 609.01 (1), of the health maintenance organization or preferred providers plan.

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(END) ... 4-22



State of Wisconsin 1997 - 1998 LEGISLATURE

LRBa1302/1 PJK:jlg:jf

ASSEMBLY AMENDMENT 1, TO 1997 SENATE BILL 206

Sup. 4-24

January 8, 1998 - Offered by Committee on Children and Eamilies.

At the locations indicated, amend the bill as follows:

1. Page 4, line 24: after that line insert:

3. A disability insurance policy that covers only hospital and surgical charges.

4. CENDO CENDO

1999-2000 DRAFTING INSERT FROM THE LEGISLATIVE REFERENCE BUREAU

LRB-2596/?ins PJK...:...

INSERT 5-2

or by a preferred provider plan, as defined in s. 609.01 (4), that is not a managed care plan, as defined in s. 609.01 (3c)

(END OF INSERT 5-2)

SUBMITTAL FORM

LEGISLATIVE REFERENCE BUREAU Legal Section Telephone: 266-3561 5th Floor, 100 N. Hamilton Street

The attached draft is submitted for your inspection. Please check each part carefully, proofread each word, and sign on the appropriate line(s) below.

Date: 3/29/99 To: Senator Grobschmidt Relating to LRB drafting number: LRB-2596 Topic Require insurance coverage of certain specified immunizations Subject(s) Insurance - health 1. **JACKET** the draft for introduction in the Senate or the Assembly ____ (check only one). Only the requester under whose name the drafting request is entered in the LRB's drafting records may authorize the draft to be submitted. Please allow one day for the preparation of the required copies. 2. **REDRAFT.** See the changes indicated or attached A revised draft will be submitted for your approval with changes incorporated, 3. Obtain **FISCAL ESTIMATE NOW**, prior to introduction If the analysis indicates that a fiscal estimate is required because the proposal makes an appropriation or increases or decreases existing appropriations or state or general local government fiscal liability or revenues, you have the option to request the fiscal estimate prior to introduction. If you choose to introduce the proposal without the fiscal estimate, the fiscal estimate will be requested automatically upon introduction. It takes about 10 days to obtain a fiscal estimate. Requesting the fiscal estimate prior to introduction retains your flexibility for possible redrafting of the proposal.

If you have any questions regarding the above procedures, please call 266-3561. If you have any questions relating to the attached draft, please feel free to call me.

Pamela J. Kahler, Senior Legislative Attorney Telephone: (608) 266-2682

CCC 1999 SB-136

LRB-2596 PJK

Page 5, line 14: delete "act first applies to" and substitute "act".



State of Misconsin 1999-2000 LEGISLATURE

CORRECTIONS IN:

1999 SENATE BILL 136

Prepared by the Legislative Reference Bureau (January 28, 2000)

1. Page 5, line 14: delete "act first applies to" and substitute "act".